

1 Michael C. School
2 Pro Se'
3 P.O. Box 102.
4 Grass Valley ca, 95945
5 (530) 450-9598

6
7 In the United States District Court

8 for the Eastern District of California

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FILED
JAN 02 2020
CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY DEPUTY CLERK

Case No.: No. [2:20 - CV 0004] JAM EFB P

Michael C. School,

[Claim for damages Civil Rights
Violations]

vs.

Deputy Olivia Rodrigues,

Deputy Rory Sonnier,

950 Maidu Ave #200 Nevada City Ca 95959

Nevada County Sheriffs Department

950 Maidu Ave #200 Nevada City Ca, 95959

Defendant(s)

I JURISDICTION AND VENUE

- 1) This action is brought pursuant to 42 U.S.C. § 1983 & 1988 & the Second, Fourth, Fifth, Sixth and Fourteenth Amendments to the Constitution of the United States
- 2) Plaintiff evokes the Jurisdiction of this Court pursuant to Title 28 U.S.C. § 1331, 1343 & 1367.
- 3) Venue is appropriate in this district pursuant to 28 U.S.C. § 1391 because the event(s) that gave rise to this claim occurred within the judicial boundaries of this court.

II PARTIES

- 4) Plaintiff/Petitioner Michael C. School hereinafter "Plaintiff" has resided in Nevada County for over 7 years.

1 5) Defendant(s) Deputy Rory Sonnier and Olivia Rodrigues
2 hereinafter "Defendant"(s) at all times relevant to the
3 facts herein this complaint were Deputy Sheriffs acting in
4 such capacity as the agent, servant& employee, employed by
5 defendant: Nevada County Sheriffs Department and are being
6 sued in their individual and official capacity.

7 6) Defendant COUNTY OF NEVADA INC Hereinafter " Nevada County"
8 being sued as a person, is a municipal corporation (Dunn
9 and Bradstreet #781349535)

10 7) operating within the State of California (Dunn and
11 Bradstreet# State of California-071549000 City of Los
12 Angeles-159166271 County of Los Angeles- 132585055) that
13 is; directly or indirectly responsible for employing,
14 training, supervising, compensating & enriching or
15 rewarding defendant Deputy(s) for their actions against
16 Plaintiff.

17 **III FACTS**

18 8) All events depicted herein occurred on the morning of
19 September 2nd 2018

20 9) Plaintiff was on Private Property within his own private home
21 secured in his Person with Private Property Notices clearly
22 posted and also certified mailed and received by Nevada
23 County. (See No Trespassing Notices with Fee Schedule attached
24 as exhibit 1

25 10) Plaintiff Noticed a Nevada County Sheriff Patrol vehicle
26 parked inside his front gate in front of his private
27 residence.

28

1 11) Plaintiff went outside the front door to inquire as to why
2 Deputy Olivia Rodrigues was in my yard who without cause
3 ordered plaintiff to turn around and place my hands behind my
4 back that plaintiff was being secured for "her safety."

5 12) At all times relevant herein Deputy Rodrigues produced no
6 warrant to arrest or search plaintiff.

7 13) At all times relevant herein plaintiff was not read his
8 Miranda rights or told he was under arrest.

9 14) There were **NO** exigent circumstances for arresting
10 plaintiff.

11 15) Deputy Rodrigues aided by Deputy Sonnier battered and
12 assaulted plaintiff without cause or provocation whereby
13 snatching plaintiff from his residence over plaintiffs
14 objections.

15 16) Deputy Rodrigues interrogated Plaintiffs 11 year old son
16 D. School without an adult present. After D. gave his
17 statement. Deputy Rodrigues violated P.O.S.T. Guidelines by
18 calling D. School a "Liar" and not comforting a child as per
19 her Duty.

20 17) Plaintiff advised Deputy(s) Rodrigues and Cpl. Sonnier
21 (Supervisor/backup) that Plaintiffs cuffs were too tight and
22 hurting him with his arms locked in position behind his back
23 with his pleas willfully ignored.

24 18) Plaintiff demanded to speak with his attorney and was
25 refused.

26 19) Plaintiff repeatedly demanded to be taken before an
27 immediate neutral judge or magistrate to know the nature and
28 cause of his arrest. Deputy Rodrigues drives the Sheriff

1 Patrol Vehicle to the County Jail and deposited plaintiff
2 there to be booked.

3 20) Plaintiff was arrested, searched & imprisoned absent a
4 verified complaint.

5 21) Deputy(s) Rodrigues and Sonnier knew or should have known
6 with respect to their duties and clearly established law;
7 plaintiff had a right to be secure in his person against
8 unreasonable searches & seizures.

9 22) Deputy Rodrigues knew or should have known her duties
10 required her to take plaintiff before an immediate neutral
11 judge or magistrate without unnecessary delay for a probable
12 cause hearing.

13 23) Deputy Rodrigues knew or should have known with respect to
14 her duties & clearly established law; that an arrest or search
15 could only arise from a warrant or exigent circumstances.

16 24) Deputy Rodrigues knew or should have known her actions
17 caused plaintiff injuries from her objectively unreasonable
18 use of force.

19 25) Nevada County Sheriffs Department knew or should have
20 known with respect to its duties, its deputies duties, &
21 clearly established law, Deputy Rodrigues arrested, searched,
22 & imprisoned plaintiff absent warrant or bona fide criminal
23 process.

24 26) Nevada County as a policy or custom failed to properly
25 train, supervise, control, correct the abuse of authority, or
26 discourage the unlawful use of authority of its deputies. The
27 failure to properly train Deputy(s) Rodrigues and Sonnier
28 included to instruct them in applicable provisions of the U.S.

1 Constitution on seizing, arresting, searching and imprisoning
2 a person or persons without warrants or bona fide criminal
3 process.

4 27) Nevada County as a policy or custom approves or ratifies
5 unconstitutional acts of its deputies, depriving a person or
6 persons of procedural due process rights.

7 28) Plaintiff had a reasonable expectation Nevada County
8 Deputies wouldn't arrest, search, nor imprison his person
9 absent warrant, exigent circumstances, probable cause hearing,
10 or verified complaint because that would violate clearly
11 established law.

12 29) At **ALL** times relevant herein defendants were acting under
13 color of state law.

14 30) Defendants and Nevada County at all times relevant herein,
15 acted in bad faith, deliberately indifferent, wantonly,
16 recklessly, maliciously & willfully, with the intent of
17 injuring & oppressing plaintiff, by the reason of which
18 plaintiff is entitled to all relief in plaintiffs prayer.

19

20 **IV FEDERAL CAUSES OF ACTION**

21

22 31) All allegations in paragraphs 1-29 are incorporated herein
by reference.

23 32) The herein described actions, engaged in under color of
24 state authority by Deputy(s) Rodrigues, Sonnier and Nevada
25 County Sheriffs Department, including Nevada County sued as a
26 person, responsible because of its policy or custom & approval
27 or ratification thereof for the acts of its Sheriffs Deputies
28 depriving plaintiff of rights secured to him by the U.S.
Constitution, include, but not limited to, plaintiff's Fourth
Amendment right to be secure in his person against unreasonable
searches & seizures, & plaintiff's Fourteenth Amendment liberty
rights & right to due process.

1 33) **Primary Cause!** Plaintiffs Fourth Amendment, as it applies
2 to the states through the Fourteenth Amendment right to be
3 secure in his person against unreasonable searches & seizures
4 was violated upon being coerced from his private residence
5 excessively, willfully & needlessly & and upon his person being
6 arrested and searched without even a scintilla of justification
7 therefore **UNDER THE GUISE** of being arrested which was
8 objectively unreasonable & contrary to clearly established law.
9 Thus, Doe(s) were trespasser Ab Initio for their deliberate
10 wanton disregard of their duties, law & defrauding plaintiff of
11 his Due Process rights. This action resulted directly & only
12 from a use of force of Doe on plaintiff that was clearly
13 excessive to the need & Nevada County(s) *prima Facie* deliberate
14 indifference to its duties, law & plaintiff's right(s) which is
15 objectively unreasonable. Plaintiff also claims upon defendant
16 Doe Trespass upon his person & violations of clearly established
17 law he was subjected to false arrest & imprisonment & assault &
18 battery to his person without cause or bona fide criminal
19 process. As a direct result of defendants actions jointly &
20 severally against plaintiff whereby violating clearly
21 established law, plaintiff has suffered injuries to his person.

SECONDARY CAUSE

22 34) Plaintiffs Second Amendment right to keep and bear arms
23 was violated when Doe 1 came to Plaintiffs holding cell and
24 stated plaintiff would not be released until he surrendered his
25 Privately Owned Firearms which were secured in a gunsafe at
26 12795 La Barr Meadows Rd. Does 1&2 have sworn an Oath in
27 exchange for wages to uphold and defend the State and Federal
28 Constitution.

THIRD CAUSE

29 35) Plaintiffs Fifth Amendment right was violated when he was
30 questioned without counsel present to which plaintiff co-
31 operated with Does 1&2 believing he would be released from
32 custody after a thorough and complete investigation was
33 conducted.

FOURTH CAUSE

34 36) Plaintiffs Sixth Amendment right was violated when Does
35 1&2 denied Plaintiff access to Counsel.

FIFTH CAUSE

36 Plaintiff's Fourteenth Amendment right(s) to locomotion, to be
37 free from false arrest, false imprisonment, assault & battery, &
38 due process was deprived absent procedural due process by Does 1
39 & 2 seizing, searching, arresting & imprisoning plaintiffs
40 person without cause or bona fide criminal process & denying
41 plaintiffs right to be taken before an immediate neutral judge
42 or magistrate on said day of this incident then depositing
43 plaintiff into the County Jail to be booked absent verified
44 complaint. As a direct and proximate result of defendants

1 actions jointly and severally against plaintiff whereby
2 violating clearly established law, plaintiff has suffered
3 injuries to his person.

4 **SIXTH CAUSE**

5 Nevada County Sued as a person maintains a policy or custom that
6 subjects a person or persons to deprivations of procedural due
7 process rights under color of state law. Plaintiffs injuries
8 resulted directly from (1) Nevada County's said policy or custom
9 (2) Doe's objectively unreasonable use of force whereby
10 effectuating said policy or custom on plaintiff. Despite Nevada
11 County's awareness that persons taken into custody are being
12 deprived of proper procedural due process rights, Nevada County
13 willfully ignored its duties & law, thereby displaying an
14 official policy or custom, which was deliberately indifferent to
15 the constitutional rights of persons who its Deputies come into
16 contact with, & was the moving force behind plaintiffs injuries.
17 Thus, Nevada County is liable under 42 U.S.C. 1983. As a direct
18 and proximate result of defendants wanton & reckless disregard &
19 deliberate indifference to their & its duties, plaintiffs
20 rights, & clearly established law jointly and severally,
21 plaintiff has suffered injuries to his person.

22 **PRAYER FOR RELIEF**

23 **WHEREFORE**, plaintiff respectfully demands "**IN THE INTERESTS**
24 **OF JUSTICE**" judgment against defendants who acted, objectively
25 unreasonable, deliberately indifferent & wantonly in violating
26 clearly established law & plaintiffs rights with reckless
27 disregard for plaintiffs reasonable expectations of those rights
28 jointly & severally as follows (1) \$5,000,000.00 in compensatory
damages for all plaintiffs injuries sustained against
defendants; such as, false arrest, false imprisonment, assault &
battery, & violation of his Fourth and Fourteenth Amendments (2)
\$100,000.00 in punitive damages to deter & make an example of
defendant Doe(s), all cost & disbursements of this action, all
attorneys fees pursuant to 42 U.S.C. \$1988, the right to amend
this complaint by further evidence & fact finding, declaratory
judgment that (a) actions of defendant deputy on said morning
constituted an unlawful arrest, search, imprisonment, & assault &
battery on plaintiffs person in violation of U.S Constitution
Fourth Amendment, Fourteenth Amendments due process clause, &
42 U.S.C. 1983; & that (b) defendant Nevada County is liable
under 42 U.S.C. \$ 1983 for its deliberate indifference to its
duties, its inhabitants rights, & clearly established law by
deliberately failing to properly train & supervise its deputies
in mandatory due process requirements, & deter its deputies from
unlawful conduct thereto. Injunctive relief to prevent Nevada
County Deputies from arresting, searching, or imprisoning
plaintiff hereafter absent bona fide criminal process unless
plaintiff commits a felony or breach of the peace, & any other
relief this court deems proper.

1
2
3 **VERIFICATION**

4 State of California)

5) SS

6 County of Nevada)

7
8 I, Michael C. School, plaintiff in the attached form for damages
9 do affirm the facts & allegations within the attached complaint
10 hereto to be TRUE & CORRECT to the very best of my knowledge &
11 belief. **SO HELP ME GOD!**

12
13 **PLAINTIFF PRO SE'**
14 **Michael C. School**
15 **P.O. Box 102**
16 **Grass Valley Ca, 95945**

17
18 
19 Sworn to & subscribed before me on this 2nd day of January 2020

20 Notary Jurat:

21
22 My Commission expires: _____

23
24 *See attached - Exp 1/2/20*

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A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Nevada

Subscribed and sworn to (or affirmed) before me on this 2nd

day of January, 2020, by Michael C. school

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

(Seal)

Signature Elizabeth Unruh

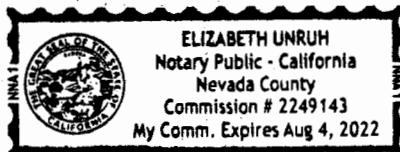


EXHIBIT 1

- 1- No Trespassing Notice w/fee schedule and Notary Acknowledgement
(3 pages)
- 2- No Trespassing Sign posted on each side of gate entrance to 12795 La Barr
Meadows Rd, Grass Valley Ca 95949 (1page)
- 3- Notary Proof of Service by Mail form-dated 3/13/2018 sent by Certified
Mail tracking Number 7017-3040-0000-7247-7630 to Nevada County Sheriff
attn: Keith Royal. (1 page)

(6 pages with this coversheet)

Without Prejudice U.C.C. 1-302

By: Mitch School

For: MICHAEL C. SCHOOL



1/1/2020

original



No Trespassing Sign Posting Notice

CC: Nevada County Sheriff's
CC: Nevada County District Attorney
CC: Chairman of the Nevada County Board of Supervisors
CC: Director Nevada County Planning Department
CC: Office of the Governor of California
CC: Office of the California Attorney General
CC: RISK MANAGEMENT

Dear Public Servants, We have installed strongly-worded NO TRESPASSING signs on our property located at:

12795 La Barr Meadows Rd. Grass Valley California [95949] (A.P.N. 22-250-36-000) (4.27 Acres-Legal Description PTN W 1/2 1-15-8) This letter will serve as constructive Notice to the county sheriff, county prosecuting attorney, county commissioners/Board of Supervisors and the director of the county planning staff, if any, or other government agencies. Be advised that I/WE will consider any trespassing by any government agent for any reason, other than a fire or medical emergency, without my/our Express Written Permission, as a violation of Title 18 U.S.C. 241,242,245 and any other applicable federal or state civil or criminal trespass statutes. If such Trespass occurs, I/WE will consider the government agent/Trespasser as an intruder and will take all lawful means to expel the intruder. Any evidence gathered by said government agent used against us for any reason, will be challenged in court as having been gathered in violation of law.

You are hereby notified that the Owner(s) of this property requires all public officials, agents, law enforcement, or any other person or persons abide by the **"Supreme Law of the Land"**, **The U.S. Constitution and the lawfully ratified Amendments thereto**. Said owner(s) expect any government agent to uphold their Oath of Office in good faith to protect and defend the Constitution of the United States. Owner(s) refuse to permit any access, search, audit, assessment, or inspection whatsoever of this privately owned property without the presentation of a warrant, prepared as prescribed by the 4th Amendment to the U.S. Constitution and **"Particularly describing the place to be searched and the persons or things to be seized."** Alleged zoning, land use code, or environmental protection violations, do not establish constitutional reasons for entering this property:

BE ADVISED: THE RIGHT TO EXCLUDE ANYONE, EVEN GOVERNMENT, OR LAW ENFORCEMENT, IS AN INVOLATE, CONSTITUTIONAL RIGHT, SET IN LAW, TO-WIT;

"A property owner's right to exclude extends to private individuals as well as the government." See **United States v. Lyons**, 992 F.2d 1029, 1031 (10th Cir. 1993) "The intruder who enters clothed in the robes of authority in broad daylight commits no less an invasion of [property] rights than if he sneaks in the night wearing a burglars mask." **Hendler v. United States** 952 F.2d 1364, 1375 (Fed. Cir. 1991) "The right to exclude [is] universally held to be a fundamental element of the property right." **Kaiser Aetne v. United States**, 444 U.S. 164, 17880 (1979); see also **Dolan v. City of Tigard**, 512 U.S. 374, 384 (1994) The right has long been recognized as one of the main rights attaching to property. **Rakas v. Illinois**, 439 U.S. 128, 143 n.12 (1978)! **IF YOU VIOLATE THIS LAW WITHOUT OUR EXPRESS PERMISSION\WE WILL FILE CRIMINAL TRESPASS CHARGES AGAINST YOU AND YOU EXPRESSLY AGREE TO THE FOLLOWING FEE SCHEDULE!!**



Schedule A

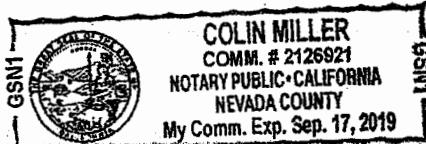
Currency: "Troy ounces of 99.9% pure silver.

Silver has been selected because the former corporations that issued currencies have been foreclosed.

Collection fees: Collection fees for any unpaid invoices are additional.

Charges

Item	Description	*Rate (in ounces of Silver)
1	Any claim absent a lawfully binding contract between the parties	2,000 oz
2	Enforcing or attempting to enforce any prior issued instrument from a foreclosed entity	2,000 oz
3	Enforcing or attempting to enforce a judgement from a "Court"	5,000 oz
4	Engaging any 3rd Party service absent a lawfully binding contract between the parties	10,000 oz
5	Breach of privacy including but not limited to each or any form, notice or letter addressed to anyone other than the Proponent at the reply address noted on each presentment	500* oz
6	Unlawful physical or non-physical threat including but not limited to a threat of prosecution, restraint, bodily harm or legal action	4,000* oz
7	Unlawful physical harm including but not limited to restraining Proponent or inflicting bodily harm.	10,000* oz
8	Unlawful-repairable Damage to the Proponent's private property or goods instigated by or caused by the Respondent	5,000* oz
9	Unlawful destruction of Proponent's private property or goods including but not limited to irreparable damage	10,000* oz
10	Unlawful claim of ownership of Proponent's private property or goods including but not limited to sale or auction	5,000* oz
11	Action against another, not party to these terms and conditions, absent a lawfully binding contract between the parties, causing harm to Proponent, including but not limited to damage of Proponent's measurable energy	1,000* oz
12	Each telephone call made by Respondent in the pursuit of any claim absent a lawfully binding contract between the parties	1,000* oz
13	Seizing Proponent's private property or goods as surety for payment of any claim absent a lawfully binding contract between the parties	1,000* oz per calendar day
14	Each day claim is made against Proponent's private property or goods, including but not limited to registering a lien, absent a lawfully binding contract.	500* oz per calendar day
15	Unlawful arrest or detainment per calendar day or part thereof.	1,000 oz per calendar day
16	Operating or perpetuating any and all private money systems, issuing, collection, legal enforcement systems, operating SLAVERY SYSTEMS of and against the One People*. *The One People as defined in UCC 2012079290	1,000* oz per calendar day
17	Using presumption in your favor against Proponent in anything regarding Proponent especially after you have been warned not to do so.	5,000* oz per calendar day
18	Ignoring and or pretending not to hear Proponents Objections. This is a most serious crime.	10,000* oz per calendar day



Respectfully Without Prejudice U.C.C. 1-308

*Michael C. School*Acknowledgment Attached

WARNING- PRIVATE PROPERTY

NO TRESPASSING

Without the Owners Express Verbal or Written Authorization

This includes any and all Government Agents,

Except in case of Fire or Medical Emergency.

Those so Trespassing are subject to civil and criminal penalties per

TITLE 18 U.S.C., Sections 241,242,245,2381

And any and all other applicable Federal and State

civil or criminal "Trespass" Statutes.

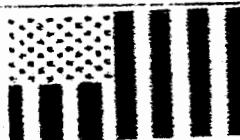
This NO TRESPASSING Notice is also subject to the following provisions:

You are hereby notified that the owner(s) of this property requires all public officials, agents, or person(s) to abide by the "Supreme Law of the Land" The U.S. Constitution and the Ratified Amendments thereto. Owners refuse to permit any access, search, audit, assessment or inspection whatsoever of this property without the presentation of a warrant prepared as prescribed by the 4th and 14th Amendments particularly describing the place to be searched and the things to be seized. Alleged zoning or land use code violations do not establish grounds to enter this property.

VIOLATORS WILL BE TREATED AS INTRUDERS

Violations can trigger fines of up to 10,000 per occurrence and prison sentences up to 10 years or both pursuant to trespass law. Notice(s) to the owner may be sent by Certified Mail Return Receipt Requested.

WARNING- PRIVATE PROPERTY



Nevada County, California Republic- I Jamie Arrigo Declare:

I am a citizen of the California Republic, and a resident of Nevada County, I am over 18 years of age. I am not a party to this action. My business /Mailing address is: PostNet 578 Sutton Way Grass Valley Ca,95945

On March 13th 2018, I served on behalf of Michael C. School a No Trespassing Notice with Fee Schedule for violations/deprivations, with a copy of the sign(s) being posted.(4 pages each packet) by placing a true copy thereof, in sealed envelopes with postage thereon fully prepaid, return envelopes included, in the United States mail Tracking info @ USPSTrackingtools.com

Addressed as follows: Gov. Gerald M. Brown BAR # 37100 C/O State Capitol Sacramento Ca,95814 Sent by certified mail # 7017-3040-0000-7247-7692

California Attorney General Xavier Becerra BAR # 118517 C/O 1300 I Street Sacramento Ca,95814 Sent by certified mail # 7017-3040-0000-7247-7685

Nevada County Sheriff C/O Keith Royal 950 Maidu Ave Nevada City Ca,95959 Sent by certified mail # 7017-3040-0000-7247-7630

Nevada County D.A. C/O Clifford Newell 201 Commercial St. Nevada City Ca,95959 Sent by certified mail # 7017-3040-0000-7247-7647

Nevada County Board of Supervisors Chairman Ed Scofield 950 Maidu Ave # 200 Nevada City Ca, 95959 Sent by certified mail # 7017-3040-0000-7247-7654

Nevada County Planning Dept. C/O Sean Powers 950 Maidu Ave # 170 Nevada City Ca,95959 Sent by certified mail # 7017-3040-0000-7247-7661

Nevada County Risk Manager C/O MaryJo Castruccio 950 Maidu Ave # 220 Nevada City Ca,95959 Sent by certified mail # 7017-3040-0000-7247-7678

I declare under penalty of perjury, that the foregoing is true and correct to the best of my knowledge.

Seal:

Notary Autograph

Date 3/13/18

